

Article - Environment

[\[Previous\]](#)[\[Next\]](#)

§2-503.

(a) If a petition for a temporary fuel variance is filed in accordance with § 2-502 of this subtitle, the Department shall schedule a public hearing on the petition to be held as soon as possible but no earlier than 10 days after publication of the notice required by this section.

(b) The petitioner shall publish a prominent notice of the hearing in a newspaper of general circulation in the county where the source for which the temporary fuel variance is sought is located.

(c) Except as otherwise provided by the Department, the notice shall contain:

(1) The name and address of the petitioner;

(2) The location and a description of the operations for which the temporary fuel variance is sought;

(3) A reference to the specific rule, regulation, or order from which the temporary fuel variance is sought;

(4) A brief statement explaining why the temporary fuel variance is sought;

(5) A statement that any person may oppose the petition at a public hearing on a specific date and at a specific time and location; and

(6) Any additional information that the Department requires.

(d) (1) The Department may grant an emergency temporary fuel variance before the public hearing if:

(i) The petitioner shows to the Department an immediate need for the temporary fuel variance; and

(ii) The Air Management Administration recommends that the Department grant the temporary fuel variance before the hearing.

(2) If the Department grants an emergency temporary fuel variance before the public hearing:

(i) The notice of the hearing shall state that an emergency temporary fuel variance has been granted and will be reviewed at the hearing; and

(ii) The hearing shall be held by the Department within 30 days after the petition is filed.

(e) After the hearing and if the Air Management Administration so recommends, the Department may:

(1) If a temporary fuel variance has not been previously granted:

(i) Grant a temporary fuel variance, subject to federal requirements, for a period of not more than 120 days; or

(ii) Refuse to grant a temporary fuel variance; and

(2) If an emergency temporary fuel variance has been granted previously:

(i) Terminate the emergency temporary fuel variance; or

(ii) Extend the emergency temporary fuel variance, subject to federal regulations, for a period of not more than 120 days from the date the variance was first granted.

[\[Previous\]](#)[\[Next\]](#)